

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

CORRECT TRANSMISSION, LLC,

*Plaintiff,*

v.

NOKIA OF AMERICA  
CORPORATION,

*Defendant.*

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Case No. 2:22-CV-00343-JRG-RSP

**ORDER**

Nokia previously filed a Motion for Partial Summary Judgment of No Pre-Suit Indirect Infringement or Willful Infringement (Dkt. No. 104.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 230), recommending denial of Nokia's Motion. Nokia has now filed Objections (Dkt. No. 253).

Nokia previously filed a Motion for Partial Summary Judgment of on Non-Infringement Under the Doctrine of Equivalents (Dkt. No. 105.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 231), recommending grant-in-part and denial-in-part of Nokia's Motion. Nokia has now filed Objections (Dkt. No. 254).

Nokia previously filed a Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 7,983,150 (Dkt. No. 106.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 232), recommending granting of Nokia's Motion. Nokia has now filed Objections (Dkt. No. 255). Correct Transmission has likewise now filed Objections (Dkt. No. 249.)

Correct Transmission previously filed a Motion for Summary Judgment on Certain of Nokia's Affirmative Defenses. (Dkt. No. 107.) Magistrate Judge Payne entered a Report and

Recommendation (Dkt. No. 233), recommending grant in part of Correct Transmission's Motion. No party has filed objections.

Nokia previously filed a Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 7,127,523 (Dkt. No. 108.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 234), recommending denial of Nokia's Motion. Nokia has now filed Objections (Dkt. No. 256).


Correct Transmission previously filed a Motion for Summary Judgment Regarding Nokia's Defense of Lack of Marking (Dkt. No. 109.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 235), recommending denial of Correct Transmission's Marking Motion. Correct Transmission has now filed Objections (Dkt. No. 250).

After conducting a *de novo* review of the briefing on the objected to motions, the Reports and Recommendations, and the briefing on Parties' Objections, the Court agrees with the reasoning provided within the Reports and Recommendations and concludes that the Objections fail to show that the Reports and Recommendations were erroneous. Consequently, the Court **OVERRULES** the Parties' Objections and **ADOPTS** the Reports and Recommendations. Accordingly, Nokia's Motion for Partial Summary Judgment of No Pre-Suit Indirect Infringement or Willful Infringement (Dkt. No. 104) is **DENIED**; Nokia's Motion for Partial Summary Judgment of on Non-Infringement Under the Doctrine of Equivalents (Dkt. No. 105) is **GRANTED-IN-PART** and **DENIED-IN-PART**; Nokia's Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 7,983,150 (Dkt. No. 106) is **GRANTED**; Nokia's Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 7,127,523 (Dkt. No. 108) is **DENIED**; Correct Transmission's Motion for Summary Judgment Regarding Nokia's Defense of Lack of Marking (Dkt. No. 109) is **DENIED**.

Because no objections have been filed as to the report and Recommendation (Dkt. No. 233) and because of the reasons set forth in the Report and Recommendation, the Recommendation is **ADOPTED**. It is therefore **ORDERED** that the Motion for Summary Judgment on Certain of Nokia's Affirmative Defenses (Dkt. No. 107) is **GRANTED IN PART** and **DENIED IN PART**.

**So Ordered this**

**May 22, 2024**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE